c.d. 1002 (3)

Single Bench

IN THE HIGH COURT OF JUDICATURE :CHHATTISGARH:BILASPUR

WRIT PETITION NO : 799 OF 2005

PETITIONER : M.R.Sawant,
aged 44 yrs,s/o shri R.M.Sawant
Lecturer : J.N.Pandey, Govt.
Multipurpose Higher Secondary
School : Raipur CG

-VERSUS-

RESPONDENTS :

1. THE STATE OF CHHATTISGARH
Through : The Secretary to
the Govt. of Chhattisgarh,
School Education Department,
Mantralaya : Raipur CG

2. The District Education,
Officer : Raipur CG

3. The Principal,
J.N.Pandey Govt.
Multipurpose Higher
Secondary School : Raipur CG

P.R. No. 823/05
Presented by Sh. Amrayal Srivastava
dated 28-02-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(32)

HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. No. 799 of 2005

Petitioner : M.R. Sawant

Versus

Respondents : The State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Anurag Shrivastava, Advocate for the Petitioner.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(11th October, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Lecturer, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B. Ed. Examination Certificate on 29.6.1991 from Barkatullah University, Bhopal (Annexure P/3).

2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed.

Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 (Annexure P/1) issued by the State Government of Madhya Pradesh.

3. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case is squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash